



SPU/AP 3618
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Atty. Dkt. No. 040356-0432

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yasukazu IWASAKI
Title: OPERATING LOAD CONTROL FOR FUEL CELL
POWER SYSTEM IN FUEL CELL VEHICLE
Appl. No.: 10/069,499
Filing Date: 02/27/2002
Examiner: J. Restifo
Art Unit: 3618

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

In a counterpart Japanese application, a Japanese Office Action issued on January 25, 2005. According to an English translation of the Japanese Office Action obtained by Applicants' representative, the Japanese Patent Office made certain characterizations of the references.

According to an English translation of the Japanese Office Action, document B1 "can be interpreted to include normal operation with a predetermined load, idle operation or system stop state in the constant load operation of the fuel cell system for a vehicle." Document B1 also "teaches a fuel cell system for vehicle wherein the battery is charged during a constant load operation."

According to an English translation of the Japanese Office Action, document B2 discloses "in the art of a fuel cell power system for a vehicle, to control the fuel cell to have a variable load operating according to the electric load demand in certain situations, wherein the electric load demand required for running the vehicle soars."

According to an English translation of the Japanese Office Action, document B3 discloses that it is known "in a fuel cell system for vehicle to have the constant load operation of fuel cell in the range close to the optimal efficiency operation point."

According to an English translation of the Japanese Office Action, document JP 9-7618, which was previously submitted in an Information Disclosure Statement dated on February 27, 2002, further teaches "to compute the average value of the electrical load demand for the vehicle from all the inputted electrical load demand values in a shorter amount of time than the start-up of the fuel cell system."

As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these characterizations should not be construed as an admission of or agreement with the opinions expressed in the Japanese Office Action.

Document B4 discloses a controlling device of a fuel cell system.

English translations of the foreign-language documents are not readily available. However, English language abstracts are provided herewith. Consequently, the foreign language documents have been submitted in compliance with the PTO requirements and, therefore, the documents should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement and that the communication was not received by an individual designated in § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date FEB 24 2005

By 

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: February 24, 2005 <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/069,499
				Filing Date	02/27/2002
				First Named Inventor	Yasukazu IWASAKI
				Group Art Unit	3618
				Examiner Name	J. Restifo
Attorney Docket Number				040356-0432	

O I P E
 FEB 24 2005
 U.S. PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B1	JP	10-292857	A	ISHIKAWAJIMA HARIMA HEAVY IND. CO., LTD.	11-04-1998		Abs.
	B2	JP	5-151983	A	SANYO ELECTRIC CO., LTD.	06-18-1993		Abs.
	B3	JP	2000-012059	A	TOYOTA MOTOR CORP.	01-14-2000		Abs.
	B4	JP	2001-339810	A	NISSAN MOTOR CO., LTD.	12-07-2001		Abs.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.